

REMARKS

Claims 1-35 are pending in the present application. Of these claims, claims 1-10, 13, 15, 16, 20, 23, 24, 26, and 30 stand rejected. Claims 11, 12, 14, 17-19, 21, 22, 25, 27-29, and 31-35 have been objected to due to dependencies on rejected claims, but indicated as allowable if rewritten. The Applicant respectfully requests reconsideration of the rejections based on the following reasons.

The rejection of claims 1-3, 5-10, 13, 15, 20, 23, 24, 26, and 30 under 35 U.S.C. §102(b) as being anticipated by Oguchi et al. (U.S. Patent No. 5,408,379) was maintained in the final Office Action. The Applicant respectfully traverses this rejection for the following reasons.

With respect to claim 1, the final Office Action again asserts that Oguchi et al. teaches all of the elements of this claim. Specifically, Figure 16 of Oguchi et al. is relied upon as illustrating an overcurrent device (i.e., a fuse), an overvoltage device 28 and a plurality of terminals 66a-d. The Office Action further asserts that Oguchi et al. teaches the featured element of “a part of the overvoltage protection portion [serving] as one of the plurality of terminals.” In support of this assertion, the Office Action refers to the overvoltage protection portion 28 serving as one of the terminals putatively illustrated in Figure 15 as A' and 28. The Applicant respectfully disagrees with these assertions and respectfully request reconsideration.

Figure 16 of Oguchi et al. illustrates a surge absorber 28 (i.e., an overvoltage device) that is connected through openings 69 into a first base 64. As is described by Oguchi et al., further connections are made within this base 64 before actually connecting to the conducting plugs 66a-c. (See column 7, lines 38-53). Thus, the assertion that any one of the plurality of connecting plugs 66 could be characterized as being part of the surge absorber 28 is patently false. In response to this argument, the final Office Action asserts that “when the base 64 and the socket 63 are coupled together the device serves as one unit and is to be connected to the circuit to be protected.” The Office Action continues by asserting that “regardless of the base 64, the surge absorber 28 is still directly connected to the circuit to be protected through the terminals 66a-c” and that the “terminals 66a-c therefore, become part of the surge absorber through their direct connection,” and “therefore, part of the overvoltage protection portion (70b) does actually serve as one of the plurality of terminals to be connected to the circuit to be protected.” In response, the Applicant respectfully submits that this characterization is an unreasonable stretch, so much

so that it is not a reasonable reading of the claim language and is untenable conjecture concerning the teachings of Oguchi. Claim 1 features “a part of the overvoltage protection portion serv[ing] as one of the plurality of terminals.” The “part of the overvoltage protection portion (70b)” is not actually the surge absorber material (i.e., an overvoltage protection portion), but merely a connecting terminal, which is essentially a wire. This terminal 70b is not anything that serves to effect overvoltage protection. In contrast, claim 1 features the overvoltage protection portion (i.e., material effecting overvoltage protection) as one of a plurality of terminals. Moreover, since the connecting terminal 70b is not actually the surge absorber material, it is irrelevant that the terminals 66a-c connect to this terminal 70b, because terminals 66a-c are also not the overvoltage portion or even a part of it. Accordingly, the Applicant’s respectfully request reconsideration of the rejection in light of these remarks.

With respect to dependent claims 2, 3, and 5-10, the Applicant submits that these claims are allowable at least by virtue of their dependency on independent claim 1.

With respect to independent claim 13, again repudiate the assertion that Oguchi et al. is anticipatory and submit that this assertion is simply false and disregards the clear and plain teaching of Oguchi et al. as argued in the response filed on October 30, 2003. The final Office Action response to the arguments maintains that the connection, in essence, meets the claimed feature of “a part of the overvoltage protection portion serv[ing] as a third terminal.” Similar to the reasoning presented with respect to claim 1, the Office Action fails to appropriately read the teachings of Oguchi and the claimed features. Figure 14 shows a terminal A’, which is not actually an overvoltage portion, similar to the previous mischaracterization of connection 70b, discussed above. Thus, the Applicant respectfully requests reconsideration of this rejection.

With respect to dependent claims 15, 20, and 26, the Applicant submits that these claims are allowable at least by virtue of their ultimate dependency on independent claim 13.

Further with respect to dependent claims 23 and 24, the Applicant again respectfully submits that the rejection of these claims appears to be erroneous since claim 21, from which these claims directly depend, has not been rejected, but actually indicated as allowable. Accordingly, these claims are also believed to be allowable.

Finally, with respect to dependent claim 30, for the reasons presented above, this claim is also believed to be allowable over Oguchi et al. because the reference does not teach or suggest an overvoltage protection element serving as a terminal.

Claims 4 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Oguchi et al.. The Applicant respectfully submits that these claims are allowable on their merits, and at least by virtue of their dependencies on independent claims 1 and 13, respectively.

In light of the foregoing comments, the Applicant submits that the application is in condition for allowance and requests that the timely Notice of Allowance be issued in this case.

Respectfully submitted,

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